

LABOR SERVICES DIVISION[875]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code section 90A.7 and 2010 Iowa Acts, Senate File 2286, the Labor Commissioner hereby gives Notice of Intended Action to amend Chapter 173, “Professional Boxing,” and Chapter 177, “Professional Shoot Fighting,” Iowa Administrative Code.

The proposed changes to Chapter 173 set forth rules governing the issuance, revocation, and denial of boxer registrations. The proposed changes to Chapter 177 implement 2010 Iowa Acts, Senate File 2286; adopt new definitions; make editorial and technical changes; require a promoter to provide the Labor Commissioner written notice of an event at least 30 days in advance; require a promoter to ensure an authorized emergency medical technician transport service is on site during an event; set forth requirements for an event license; require three judges and two referees for an event; set forth scoring procedures; increase the allowed size of a cage; change the requirements for weighing a contestant; prohibit officials and participants from threatening any person; clarify who may be present in a cage; change the limits on the length and number of rounds in a match; expand the list of fouls; set forth appropriate responses to fouls; and ban overtime.

The purposes of these amendments are to implement legislative intent and to protect the safety and health of contestants, participants, officials, and the general public.

If requested by the close of business on May 25, 2010, a public hearing will be held on May 26, 2010, at 1:30 p.m. in the Capitol View Room at 1000 East Grand Avenue, Des Moines, Iowa. Interested persons will be given the opportunity to make oral statements and file documents concerning the proposed amendments. The facility for the oral presentations is accessible to and functional for persons with physical disabilities. Persons who have special requirements should call (515)281-5915 in advance to arrange access or other needed services.

Interested persons may submit written data, views, or arguments to be considered in adoption no later than May 26, 2010, to Division of Labor Services, 1000 East Grand Avenue, Des Moines, Iowa 50319-0209. Comments may be sent electronically to kathleen.uehling@iwd.iowa.gov.

These amendments are intended to implement Iowa Code chapter 90A and 2010 Iowa Acts, Senate File 2286.

The following amendments are proposed.

ITEM 1. Adopt the following **new** rule 875—173.55(90A):

875—173.55(90A) Boxer registration. The commissioner participates in the Association of Boxing Commissions (ABC) national boxer registration system which allows authorities from different states to share information concerning boxers. The issuance of a registration card to a boxer does not guarantee the right to participate in a match.

173.55(1) Application. A boxer shall apply for registration in the state where the boxer resides, unless the state where the boxer resides does not participate in the ABC registration system. A person applying for a new or renewal boxer registration shall complete, sign, and submit to the division the ABC Boxer’s Federal Identification Card Application. With the application, the applicant shall submit a \$25 fee; two 1" × 1.5" color photographs of the applicant’s head; and a copy of a photo identification issued to the applicant by a governmental entity and containing the applicant’s photograph and social security number or similar foreign identification number. The applicant must be recognizable in the photographs.

173.55(2) Expiration. The registration shall expire two years from the date of issuance.

173.55(3) Changes. The boxer shall notify the division at the time any of the information on the form changes.

173.55(4) Denials. The labor commissioner may refuse to issue or renew a boxer registration for failure to complete an application package properly.

ITEM 2. Amend **875—Chapter 177**, title, as follows:

PROFESSIONAL SHOOT FIGHTING MIXED MARTIAL ARTS

ITEM 3. Rescind rule 875—177.1(90A) and adopt the following **new** rule in lieu thereof:

875—177.1(90A) Definitions. The definitions contained in Iowa Code chapter 90A as amended by 2010 Iowa Acts, Senate File 2286, and the definitions in this rule shall apply to this chapter.

“*Contestant*” means a person who fights or is scheduled to fight in a match.

“*Event*” means a program or card of one or more matches covered by Iowa Code chapter 90A.

“*Match*” means a mixed martial arts match.

“*Mixed martial arts*” means a style of athletic contest that includes a combination of combative skills from the sports of boxing, wrestling, kickboxing and judo.

“*MMA*” means mixed martial arts.

ITEM 4. Rescind and reserve subrule **177.2(1)**.

ITEM 5. Amend subrules 177.2(2) to 177.2(4), 177.2(6) and 177.2(7) as follows:

177.2(2) General. The promoter shall:

a. Ensure have responsibility for compliance with the rules of this chapter. The promoter shall make certain;

b. Ensure that the referee is referees are familiar with and enforce the rules and that the referee enforces them. The promoter shall be;

c. Be responsible for the conduct of all officials and participants at a shoot fighting event. The promoter shall be answerable;

d. Answer to the commissioner for noncompliance; and

e. Be available to the commissioner throughout an event or identify a designee who shall be:

(1) Available to the commissioner throughout an event; and

(2) Authorized by the promoter to address issues that may arise.

177.2(3) Contracts. ~~All contracts between a promoter and contestants shall be written and signed on official forms furnished by the commissioner. One copy of each contract shall be filed with the commissioner at least seven days prior to the date of the fight, unless a specific individual delay is approved by the commissioner. A promoter shall enter into a written contract with each contestant using the form furnished by the commissioner. Telegrams, fax transmissions, electronic mail, or letters indicating acceptance of terms will be considered an agreement between a contestant, the contestant’s manager and the promoter pending the actual signing of the contract.~~

177.2(4) Event officials provided. The promoter ~~is to~~ shall provide all officials and ensure their attendance during the entire ~~duration of all fights~~ event. The officials are subject to approval by the commissioner.

177.2(6) Public safety. The promoter ~~is to~~ shall ensure that adequate public safety is maintained at all ~~fight events~~. At least one law enforcement officer, who is certified pursuant to Iowa Code chapter 80B, and adequate personnel provided by a private security company shall be furnished by the promoter; ~~must be in attendance with additional law enforcement officers as required by the need to maintain adequate public safety. The~~ When the commissioner finds that failure to provide adequate security to maintain public safety imperatively requires emergency action ~~to, the commissioner may immediately suspend the event license, pending license revocation procedures pursuant to Iowa Code section 17A.18(3) chapter 17A.~~

177.2(7) Prohibited events. No promoter, ~~matchmaker or any other person~~ shall arrange, ~~match~~ or advertise:

a. A match any contest between persons of the opposite sex ~~or;~~

b. A match ~~fight~~ in which more than two contestants are to appear in the ~~ring~~ cage at the same time;

c. A match with a contestant who is younger than 18 years of age; or

d. A match between a contestant who has previously fought in a professional MMA match and a contestant who has not previously fought in a professional MMA match. A promoter shall confirm the eligibility of a contestant under consideration for an amateur match at www.mixedmartialarts.com.

ITEM 6. Adopt the following new subrules 177.2(8) to 177.2(11):

177.2(8) *Advance notice of event.* A promoter shall submit advance notice of an event to the commissioner on the form provided by the commissioner at least 30 days prior to the event. The advance notice shall include:

- a. The date, time, and location of the event;
- b. The date, time, and location for weighing the contestants;
- c. The promoter's name and contact information;
- d. The name, contact information, and role of each proposed official; and
- e. Other relevant information requested by the commissioner on the form.

177.2(9) *License.* A promoter shall not hold an event prior to the promoter's obtaining a license. At least seven days before the event, the promoter shall submit an application for a license on the form provided by the commissioner. The promoter shall submit with the application each of the following:

- a. A bond in the sum of \$5,000, payable to the State of Iowa, conditioned upon the payment of the tax and penalties imposed by Iowa Code chapter 90A as amended by 2010 Iowa Acts, Senate File 2286, unless the promoter has a current valid bond on file with the division;
- b. The name, address, weight, gender, and opponent of each contestant;
- c. A copy of the medical license of the ringside physician;
- d. Copies of the contracts with the contestants, the emergency medical services company, and the security company;
- e. The name and contact information for the certified law enforcement officer that will attend the event;
- f. The date, time, and location of the ringside physician's examination of the contestants;
- g. The date, time, and location for weighing the contestants;
- h. Certificates of health and life insurance as required by rule 875—177.10(90A);
- i. Proof of age for each contestant that shall consist of a copy of one of the following documents:
 - (1) A certified birth certificate;
 - (2) A passport;
 - (3) A certified baptismal record;
 - (4) A U.S. visa;
 - (5) Photo identification issued to the contestant by a governmental entity and containing the contestant's photograph and social security number or similar foreign identification number; or
 - (6) A U.S. resident alien card.
- j. Other relevant information requested by the commissioner on the form.

177.2(10) *Emergency medical service.* A promoter shall ensure that an ambulance service authorized at the EMT-B, EMT-I, EMT-P or paramedic specialist level pursuant to 641—Chapter 132 is present at the event. A promoter is fully responsible for all charges assessed by the ambulance service related to the event except:

- a. Charges covered by insurance.
- b. Charges for services provided to persons other than participants and officials.

177.2(11) *Cleaning.* The promoter shall provide and maintain a container with a solution of ten parts water to one part bleach to clean bodily fluids from any part of the cage, cage enclosure, or floor.

ITEM 7. Amend paragraph **177.3(1)“a”** as follows:

- a. *Size.* The ~~ring~~ cage shall not be less than 16 nor more than ~~22~~ 36 feet square.

ITEM 8. Rescind subrule **177.3(4)**.

ITEM 9. Amend subrules 177.4(1) and 177.4(3) as follows:

177.4(1) Officials. Officials ~~will~~ shall consist of three judges, ~~the referee two referees~~, the physician, and the timekeeper.

177.4(3) Timekeeper. The timekeeper shall keep an exact record of time taken out at the request of a referee for an examination of a contestant by the physician, replacing a glove or adjusting any equipment during a round. The timekeeper shall ~~sound a whistle ten seconds before the start of the round and overtime~~ notify contestants at the beginning and end of each round. The timekeeper shall be impartial and shall not signal interested parties at any time during a fight match.

ITEM 10. Rescind and reserve subrule **177.4(5)**.

ITEM 11. Rescind subrule 177.4(6) and adopt the following **new** subrule in lieu thereof:

177.4(6) Scoring. Three judges shall score each match by evaluating striking, grappling, control of the cage, aggressiveness, and defense. The significance and number of legal strikes shall receive the greatest weight. The number of legal takedowns and reversals shall receive the second greatest weight. Control of the cage shall receive the third greatest weight. Aggression shall receive the fourth greatest weight. Defense shall receive the least weight. The winner of a round shall always receive a score of 10. The score for each round shall be one of the following:

- a. If the contestants were evenly matched and neither dominated the round, the score shall be 10-10.
- b. If a contestant won a round by a close margin, the score shall be 10-9.
- c. If a contestant overwhelmingly dominated a round, the score shall be 10-8.
- d. If a contestant totally dominated a round, the score shall be 10-7.

ITEM 12. Rescind subrule 177.4(7) and adopt the following **new** subrule in lieu thereof:

177.4(7) Length of match. Each match shall consist of no more than three rounds with no more than five minutes per round. However, the commissioner may authorize experienced contestants to compete in up to five rounds of up to five minutes each. There shall be a one-minute rest period between rounds. An overtime round shall not be allowed.

ITEM 13. Amend subrule 177.4(8) as follows:

177.4(8) Persons allowed in the ring cage. No person other than the two contestants and the referee shall enter the ring cage during the fight match, ~~except the attending physician if asked by the referee to examine a contestant. Seconds may not enter the ring between the round and the overtime.~~ However, the physician may enter the cage to examine a contestant upon the request of the referee.

ITEM 14. Amend paragraphs **177.4(9)** “a,” “b” and “f” as follows:

- a. Unless special permission is granted by the commissioner, there shall be no more than two seconds. Before the start of the fight match, each corner shall notify the referee of the name of the chief second.
- b. Seconds shall not enter the ring cage except as authorized by this paragraph. The chief second may enter the cage after the timekeeper indicates the termination of the round, and the chief second must leave at the sound of the timekeeper’s whistle before the beginning of a round or overtime.
- f. Seconds shall not throw or splash water upon a contestant. ~~A wet sponge may be used between the round and overtime to refresh the contestant.~~ Excess water on the floor of the ring cage shall be wiped up immediately. Water discharged from the mouth of a contestant shall be caught in a bucket.

ITEM 15. Adopt the following **new** subrule 177.4(10):

177.4(10) Decorum of officials and participants.

- a. A promoter, official, or participant shall not:
 - (1) Intentionally or recklessly strike or injure a person;
 - (2) Speak or act in a threatening manner toward a person; or
 - (3) Damage, destroy, or attempt to damage or destroy property.

b. The commissioner may immediately suspend the promoter's license if the promoter does not comply with paragraph 177.4(10) "a" or if the promoter does not take appropriate action to curtail activities in violation of paragraph 177.4(10) "a" by an official or a participant.

c. The commissioner may immediately suspend the authorization to participate in the event of an official or a participant who does not comply with paragraph 177.4(10) "a."

ITEM 16. Amend subrules 177.5(1), 177.5(5) and 177.5(9) as follows:

177.5(1) *Time between contestants' fight participation matches.* No contestant shall be permitted to compete if the contestant participated in a boxing, wrestling, kickboxing, judo, or ~~shoot fighting~~ mixed martial arts event within the previous five-day period.

177.5(5) *Mouth protection.* A Each contestant shall wear a mouthpiece ~~shall be worn by all contestants throughout the fight each match.~~ If the mouthpiece is knocked from a contestant's mouth, it shall be washed and then replaced.

177.5(9) *Use of substances.* ~~Excessive~~ A contestant shall not use of any substance including, but not limited to, cocoa butter, petroleum jelly, grease, ointments or strong-smelling substances by a contestant during the progress of a fight will not be permitted without permission of the referee.

ITEM 17. Adopt the following **new** subrules 177.5(12) and 177.5(13):

177.5(12) *Weighing contestants.*

a. The promoter shall arrange for each contestant to be weighed in Iowa during the 24-hour period prior to the event.

b. Accurate scales shall be furnished by the promoter.

c. An official who has been approved by the commissioner shall weigh each contestant and accurately record the contestant's name and weight and the date and time. The weight records shall be submitted to the commissioner on the date of the event.

d. All contestants scheduled for an event shall be weighed on the same date.

e. Contestants shall be weighed in the presence of their opponents and without shoes, clothes or equipment.

f. Unless both contestants weigh more than 200 pounds, there shall not be a weight difference of more than 20 pounds between opponents without the commissioner's consent.

g. No less than two weeks before the event, a promoter may request that a representative of the commissioner be present when contestants are weighed. The fee for this optional service shall be \$200 plus reasonable and necessary travel expenses.

177.5(13) *Examination of contestants.* On the day of the event, at a time and place to be approved by the commissioner, the ringside physician shall conduct a rigorous physical examination to determine the contestant's fitness to participate in an MMA match. A contestant deemed not fit by the physician shall not participate in the event.

ITEM 18. Rescind subrule 177.6(3) and adopt the following **new** subrule in lieu thereof:

177.6(3) *Fouls.* As set forth in this subrule, the referee may penalize a contestant for fouls by disqualifying the contestant or by deducting points. The referee shall immediately determine if each foul is flagrant or accidental. "Flagrant" means the foul was intentional or reckless. "Accidental" means the foul was unintentional or incidental.

a. *Disqualification.* If the referee determines that the foul was flagrant and the contestant who was fouled is unable to continue due to an injury resulting from the foul, the contestant who committed the foul shall be disqualified.

b. *Deduction of points.* In determining the number of points to be deducted, the referee shall consider the nature and severity of the foul and its effect upon the opponent. As soon as practical after the foul, the referee shall notify the judges, contestants, and the commissioner of the number of points, if any, to be deducted from the score of the offender and whether the foul was flagrant or accidental. Points shall be deducted in the round in which the foul occurred.

c. *Continuation of match.* This paragraph governs how a match shall be continued if a foul that does not result in disqualification occurs.

(1) If a foul occurred but did not cause a serious injury, the referee may order the match to continue after a five-minute delay for recuperation. If subsequent fair blows aggravate the injury inflicted by a foul and the referee orders the contest stopped because of the injury, the outcome will be determined by scoring the completed rounds and the round during which the referee stopped the match.

(2) If an accidental foul results in a concussive impact to the head, if a contestant's chance of winning has been seriously jeopardized as a result of an accidental foul, or if a contestant is not able to continue the match due to an injury caused by an accidental foul, "no contest" will be declared or the winner will be determined based on points as set forth below.

1. "No contest" will be declared if:

- The foul occurs during the first two rounds of a match scheduled for three rounds or fewer.
- The foul occurs during the first three rounds of a match scheduled for four or five rounds.

2. The winner will be determined by scoring the completed rounds and the round during which the referee stopped the match if:

- The foul occurs during the third round of a match scheduled for three rounds.
- The foul occurs during the fourth or fifth round of a match scheduled for four or five rounds.

d. *Prohibited acts.* Each of the following actions is a foul:

- (1) Butting with the head.
- (2) Eye gouging of any kind.
- (3) Biting.
- (4) Hair pulling.
- (5) Fishhooking.
- (6) Groin attacks of any kind.
- (7) Putting a finger into any orifice, cut, or laceration on an opponent.
- (8) Small joint manipulation.
- (9) Striking to the spine or behind the ears.
- (10) Striking using the point of the elbow.
- (11) Throat strikes of any kind, including, without limitation, grabbing the trachea.
- (12) Clawing, pinching or twisting the flesh.
- (13) Grabbing the clavicle.
- (14) Kicking the head of a grounded opponent.
- (15) Kneeing the head of a grounded opponent.
- (16) Stomping a grounded opponent.
- (17) Striking the kidney.
- (18) Dropping or slamming an opponent on an opponent's head or neck.
- (19) Throwing an opponent out of the cage or fenced area.
- (20) Holding the shorts or gloves of an opponent.
- (21) Spitting at an opponent.
- (22) Engaging in any unsportsmanlike conduct that causes an injury to an opponent.
- (23) Holding the ropes or the fence.
- (24) Using abusive language in the cage or fenced area.
- (25) Attacking an opponent during a break.
- (26) Attacking an opponent who is under the care of the referee.
- (27) Attacking an opponent after the bell has sounded the end of the round.
- (28) Flagrantly disregarding the instructions of the referee.
- (29) Timidity, including, without limitation, avoiding contact with an opponent, intentionally or consistently dropping the mouthpiece or faking an injury.
- (30) Interference by a second.
- (31) Throwing in the towel during competition.
- (32) Threatening or intentionally striking or injuring any person other than the contestant's opponent.

ITEM 19. Amend subrule 177.6(6) as follows:

177.6(6) *Gloves.* The gloves shall not be damaged or manipulated in any way by the contestants or their handlers. If a glove breaks or becomes undone during ~~the fight~~ a match, the referee will instruct the timekeeper to take time out while the glove is being adjusted or replaced.

ITEM 20. Rescind rule 875—177.7(90A) and adopt the following **new** rule in lieu thereof:

875—177.7(90A) Decision. A professional match concludes when:

177.7(1) A contestant submits.

177.7(2) The timekeeper indicates that time has expired in the final round of the match. The win will be awarded based on the judges' scores.

177.7(3) The referee stops the match.

177.7(4) The referee disqualifies a contestant for committing a foul pursuant to rule 875—177.6(90A).

177.7(5) A second or manager throws a towel into the cage to indicate the defeat of a contestant. The referee shall stop the match and award the win to the opponent.

177.7(6) A second or manager is in the cage when prohibited. The referee shall stop the match and award the win to the opponent.

ITEM 21. Amend rule 875—177.10(90A), catchwords, as follows:

875—177.10(90A) Health and life insurance.